



PUBLIC NOTICE

Federal Communications Commission
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DA 05-2529

Released: September 27, 2005

PLEADING CYCLE ESTABLISHED FOR BELL SOUTH CORPORATION PETITION FOR WAIVER OF TARIFFING AND PRICE CAP RULES AND OF ACCOUNTING REQUIREMENTS

WC Docket No. 05-277

COMMENTS DUE: October 18, 2005

REPLY COMMENTS DUE: October 28, 2005

On September 19, 2005, BellSouth Corporation (BellSouth) filed a petition requesting waiver of certain aspects of the Commission's dominant carrier regulations that would otherwise apply to BellSouth's provision of in-region interexchange services after December 19, 2005. Specifically, BellSouth seeks waiver of sections 61.32, 61.33, 61.38, 61.58 and 61.59 of the Commission's rules, and of any other ancillary Commission rules to the extent they could be read to impose a tariff filing obligation with respect to these services. BellSouth also seeks a limited waiver of sections 61.41-61.49, pertaining to price cap regulations, to the extent these rules relate to BellSouth's long distance offerings. Additionally, BellSouth seeks a waiver of the Commission's accounting requirements as discussed in the *Joint Cost Order*¹ and *Accounting Safeguards Order*² to the extent these requirements could be read to require nonregulated treatment of in-region, interexchange services provided by BellSouth on a more integrated basis after the sunset of section 272. BellSouth asserts that the section 272 structural and related requirements will sunset in all nine states in BellSouth's region on December 19, 2005, and it requests that the waivers it seeks be granted before that date.³

Pursuant to sections 1.415 and 1.419 of the Commission's rules,⁴ interested parties may file comments on or before October 18, 2005 and reply comments on or before October 28, 2005. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.⁵ Comments filed through the ECFS can be sent as an electronic file via the Internet to

¹ *In re: Separation of costs of regulated telephone service from costs of nonregulated activities; Amendment of Part 31, the Uniform System of Accounts for Class A and Class B Telephone Companies to provide for nonregulated activities and to provide for transactions between telephone companies and their affiliates*, CC Docket No. 86-111, Report and Order, 2 FCC Rcd 1298, 1307, para. 70 (1987) (*Joint Cost Order*).

² *In re: Implementation of the Telecommunications Act of 1996: Accounting Safeguards Under the Telecommunications Act of 1996*, CC Docket No. 96-150, Report and Order, 11 FCC Rcd 17539 (1996) (*Accounting Safeguards Order*).

³ See 47 U.S.C. § 272(f).

⁴ 47 C.F.R. §§ 1.415, 1.419.

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

<http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number, in this case, **WC Docket No. 05-277**. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form <your e-mail address>.” A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). **Parties are strongly encouraged to file comments electronically using the Commission’s ECFS.**

The Commission’s contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

All filings must be addressed to the Commission’s Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, Room TW-A325, 445 12th Street, SW, Washington, D.C. 20554. Parties should also send a copy of their filings to Randy Clarke, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 6-C144, 445 12th Street, SW, Washington, D.C. 20554, or by e-mail to Randy.Clarke@fcc.gov. Parties shall also serve one copy with the Commission’s copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

The petition for waiver and comments filed by participating parties will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, or by e-mail at fcc@bcpiweb.com.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁷ Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission’s rules.⁸

⁶ 47 C.F.R. § 1.1200 *et seq.*

⁷ *See* 47 C.F.R. § 1.1206(b)(2).

⁸ 47 C.F.R. § 1.1206(b).

For further information, contact Randy Clarke of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1587.

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